

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (Cancelled)
2. (Cancelled)
3. (Original) An image taking apparatus, comprising:  
an image sensor which takes a plurality of images different in focal distance;  
a processor which creates a pan-focus image focused on each of different  
photographic objects from said plurality of images taken by said image sensor;  
a discriminator which discriminates whether or not it is appropriate to create said  
pan-focus image; and  
a controller which forbids said image sensor to take images when said  
discriminator discriminates that it is not appropriate to create said pan-focus image.
4. (Original) The image taking apparatus as recited in claim 3, wherein said  
discriminator discriminates that it is not appropriate to create said pan-focus image when  
photographic object which is out of focus exists or when all photographic objects exist in a  
depth of field.
- 5.-9. (Cancelled)
10. (Original) An image taking apparatus, comprising:  
an image sensor which takes a plurality of images different in focal distance;  
a processor which creates a blur-controlled image of a photographic object from  
said plurality of images taken by said image sensor;

a discriminator which discriminates whether or not it is appropriate to create said blur-controlled image; and

a controller which forbids said image sensor to take images when it is discriminated by said discriminator that it is not appropriate to create said blur-controlled image.

11. (Original) The image taking apparatus as recited in claim 10, wherein said discriminator discriminates that it is not appropriate to create said blur-controlled image when a distance distribution of photographic objects of said plurality of images is small or when a difference in photography magnification of said plurality of images is large.

12.-14. (Cancelled)

15. (New) The image taking apparatus as recited in claim 3, wherein said controller provides a warning when said discriminator discriminates that it is not appropriate to create said pan-focus image.

16. (New) The image taking apparatus as recited in claim 10, wherein said controller causes a warning to be provided when said discriminator discriminates that it is not appropriate to create said blur-controlled image.